

must say the railroads weren't the folks who came to us and said they needed help. In the past, we worked out every possible way to address this for fast-food locations and for all kinds of industries that said, "We need special arrangements," and we worked them out. We have worked them out in this version for the airlines.

It really is beyond the world of reasonableness to keep saying and to keep finding some excuse that we can't—with the innovation, the inventiveness, and the ingenuity of Americans—find the ability for a woman to be able to express breast milk. We have solved this problem in much more difficult situations. I am very disappointed that, today, because of my colleague from Wyoming's objection, the women, the mothers, the babies, and the families, lose. Let's win next time.

VOTE ON MOTION TO DISCHARGE

The PRESIDING OFFICER. The question is on agreeing to the motion to discharge.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Alabama (Mr. SHELBY), and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 238 Ex.]

YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

NAYS—47

Barrasso	Graham	Paul
Blackburn	Grassley	Portman
Blunt	Hagerty	Risch
Boozman	Hawley	Romney
Braun	Hoeben	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

NOT VOTING—3

Cramer	Shelby	Toomey
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The motion was agreed to.

The PRESIDING OFFICER (Mr. KELLY). The majority leader.

MOTION TO DISCHARGE

Mr. SCHUMER. Pursuant to S. Res. 27, the Committee on the Judiciary being tied on the question of reporting, I move to discharge the Committee on the Judiciary from further consideration of Jessica G.L. Clarke, of New York, to be United States District Judge for the Southern District of New York.

The PRESIDING OFFICER. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the motion, equally divided between the two leaders or their designees, with no motions, points of order, or amendments in order.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise now for the 284th time with my increasingly tattered and battered "Time to Wake up" poster to urge this Chamber to wake up on the issue of climate change.

Human beings dumped 36.3 billion tons of greenhouse gases into the atmosphere last year—last year. After all our big talk, after all the plans and the COPs and the commitments, 36.3 billion tons. That is the highest total ever recorded. We are not doing any better. We continue to do worse, and here in Congress, we continue to do nothing. We have seen this coming for many years. And even with all that warning, nothing.

NOAA reports there is currently more carbon dioxide in the atmosphere now than at any time during the last 4 million years. Humankind has never experienced what we are putting ourselves through.

Here is a look at it. Over centuries, wobbling, wobbling, back and forth quite steadily. And now—whoops—and all the way up to where we are, out of the historic range of this planet back into geological time.

All that carbon pollution has us hurtling toward climate catastrophe. With every ton of carbon dioxide we add, comes a higher risk of destructive changes to our world: ever-stronger hurricanes, rising seas, severe droughts, flooding, heat waves, disease, hunger, and more. We have a simple choice: We act swiftly to address the carbon pollution scorching our planet or we tip our climate over the edge into a cycle of destruction mankind cannot halt.

As we disrupt essential planetary operating systems, we face another problem: American deindustrialization and the offshoring of jobs in much of our manufacturing base.

After China joined the World Trade Organization back here in 2001, the

United States lost almost 6 million manufacturing jobs. It was a complete bloodbath. Communities across America were hollowed out as factories closed and workers were laid off losing union jobs that helped workers support their families and enjoy a good wage and a decent standard of living.

Our trade deficit blew up, especially for manufactured goods. In 2001, our trade deficit in manufactured goods topped \$250 billion. By 2020, it had more than tripled to almost \$900 billion.

Then came the COVID-19 pandemic and exposed the fact that we no longer make so much upon which modern life depends. First it was the masks and the protective gear for medical professionals on the frontlines; then shortages came to everything from patio furniture to auto computer chips, bicycles, garage doors, and much more.

Well, what if—what if—it turned out there was a solution to both problems, a policy that would simultaneously drive down carbon pollution worldwide and help reshape American manufacturing? Well, it turns out there is such a solution, and it is called a carbon border adjustment. With Senators COONS, SCHATZ, and HEINRICH, I have introduced one here in the Senate.

The fact is that American manufacturers are way less carbon-intensive than other competitors. On average, we are nearly 50-percent less carbon-intensive than our trading partners.

Here is a list of some of our majors: China, 3.2 times more efficient; Mexico, 1.4 times more efficient; India, 3.8 times more efficient. So if we level the playing field about carbon emissions economy to economy, we win against carbon-intensive nations like China and India. And that is fair. A steel plant in Shanghai shouldn't be able to pollute for free and undercut plants in Pittsburgh that make better steel with less pollution. My border adjustment fixes that problem. Carbon-polluting goods from abroad, fossil fuels, refined petroleum products, petrochemicals, fertilizer, cement, steel would be tariffed on the carbon intensity of their industries. This means that if you are a carbon-intensive cement factory in Mexico, you pay or you invest in technologies to lower your carbon intensity to match that cleaner plant across the border in Texas.

That is a powerful incentive to reduce global emissions and a big boost to U.S. companies competing against foreign climate cheaters.

The tariff revenues fund a competitive grant program for carbon-emitting U.S. industries to help them invest in the new technologies necessary to reduce their own carbon intensities.

Developing countries didn't get us into this mess, and they are getting clobbered by climate change, so we also direct some revenue to the State Department to support decarbonization projects in those countries.

To make this work, we need to hold American companies to the same standard as we do overseas, so we set

the standard at our U.S. average emissions for the industry. So all you have to do to pay nothing is be better than average. And if you are below average, all you have to do to pay nothing is to clean up your act to where half your industry already is.

We also give clear targets to industries for future baseline carbon intensity because that is what industry wants—clarity, certainty to know where the goalposts are.

Look at an example. Under my bill, the average or better American steel mill would pay no charge at all because it is better than average. The below average steel mill might pay \$5 to \$10 per ton of steel produced, a \$5 to \$10 per ton incentive to clean up its mill. But here is the really good part: Imports from a Chinese steel mill, more like \$110 per ton. The below average U.S. steel mill, \$5 to \$10; the Chinese, \$110. That will make Americans feel more competitive compared to polluting Chinese imports, and then buyers will beat a path to our door.

We might as well get ready with a U.S. carbon border adjustment because the European Union Parliament is passing a carbon border adjustment of its own. Member states will vote on that proposal later this year. When it takes effect, American companies will pay a carbon tariff to European governments—unless we have one of our own. Now, where we want to be is for the EU, the UK, Canada, Mexico, Japan, perhaps South Korea, all with common carbon border adjustments, creating a common carbon pricing platform across all those major economies so that we move toward decarbonization, and more importantly, the rest of the world that wants to trade with the United States, with the UK, with the EU, has to clean up its act. They would need to decarbonize and fast to have any hope of competing.

Trying to convince Chinese manufacturers to clean up their act out of the goodness of their hearts, perhaps, is a bit of a fool's errand. Putting a tariff on their goods so that they have to pay if they don't clean up their act? Now, that is how you get things going.

Unfortunately, this is on us now—on Democrats. There are too many Republicans who are just in tow to the fossil fuel industry to help.

And, of course, you can't talk about anything having to do with climate change without the dark money scoundrels, propped up by the fossil fuel industry, to come and cause mischief. They are even advertising against my bill.

Here is an advertisement against it paid for by AG Conservatives—AG Conservatives. Well, assume that this is a real organization, which it isn't. It is a front group paid for by dark money that hides who the real donors are—just a mouthpiece for somebody who doesn't want to identify themselves.

But why would an agriculture group want to hurt manufacturing? It doesn't make any sense. Why would they not

want American manufacturing to have that advantage against their Chinese competition? Why would they be asking people to vote no on a carbon border adjustment?

And by the way, there are a lot of products where agricultural products form the feedstock for a later manufacturing product. And if we are bringing manufacturing to the United States because we are favored versus dirty polluting foreign manufacturers, why would they not want that to happen?

And where is agriculture in this fight anyway when this is mostly about manufacturing? Where, for American agriculture, is the downside?

If you think it through, it actually doesn't exist, which helps confirm to me that behind this phony front group is probably the fossil fuel industry pretending that it is some agriculture group. If that were agriculture, that was agriculture from millions of years ago before it all went down to the bottom and got compressed and rotted and turned, after millions of years, into oil. That is the agriculture.

So that is what we are up against. That is why Democrats are going to have to do this. The fossil fuel money that is driving the other party makes it impossible for bipartisanship to work.

We have a shot in reconciliation to pass a serious climate bill—a real one—and we should make a carbon border adjustment a central component of that bill. It is a win-win-win. We compete on a playing field with a huge built-in advantage for American manufacturing; we spare ourselves carbon tariffs from the EU; and we relentlessly, with economic pressure and power, drive down carbon pollution across the biggest polluters around the globe—a win-win-win.

The choice is clear. Let's win.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

EXECUTIVE CALENDAR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate consider the following nomination: Calendar No. 1031, Vinay Vijay Singh, of Pennsylvania, to be Chief Financial Officer, Department of Housing and Urban Development; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read the nomination of Vinay Vijay Singh, of Pennsylvania, to be Chief Financial Officer, Department of Housing and Urban Development.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Singh nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DAIRY MONTH

Mr. THUNE. Mr. President, June 2022 marks the 85th annual Dairy Month, and today I wish to recognize the hard work of South Dakota's dairy industry.

Our dairy producers and processors work tirelessly to provide high-quality, safe, and nutritious products for people around the world. The 2020–2025 U.S. Dietary Guidelines for Americans highlights that dairy consumption is a critical part of a healthy, balanced diet and is the leading source of calcium and vitamin D, critical components of bone strength and heart health.

In 2021, the U.S. dairy industry contributed approximately \$753 billion to the U.S. economy, and it supports 3.3 million jobs. South Dakota's dairy industry is experiencing exciting growth, as seen by the doubling of milk production between 2000 and 2020. In 2019, South Dakota produced more than \$563 million in milk and dairy products. South Dakota is home to more than 170 dairy farms and nearly a dozen processing facilities that support more than 6,000 jobs in our State. Each dairy cow brings an estimated \$26,000 of economic impact to communities every year.

Our Nation's producers are also leading the way in sustainability and efficiency. Between 2007 and 2017, they decreased their carbon footprint by 19 percent. The industry has also successfully lowered the water input in a gallon of milk by 30 percent. These increased efficiencies are a window into the incredible innovation of the agriculture industry as producers continue working to feed the world.

I commend the hard work and dedication of our State's dairy farmers and processors and all that they do to continue to supply the world with nutritious dairy products. I wish the dairy industry continued prosperity in the years to come.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision